

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P. O. Box 272400
Fort Collins, Colorado 80527-2400

PATENT APPLICATION

ATTORNEY DOCKET NO. 200304343-1

ORIGINAL

RECEIVED
CENTRAL FAX CENTER

JUL 21 2005

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Darren J. CEPULIS

Confirmation No.: 3670

Application No.: 10/014,943

Examiner: Y. M. Barqadle

Filing Date: 10/26/2001

Group Art Unit: 2153

Title: METHOD FOR VIEWING, MANAGING AND CONTROLLING SYSTEM SPECIFIC
HARDWARE USING INDUSTRY STANDARD TABLES UPLOADED TO LOCALLY
INSTALLED REMOTE MANAGEMENT DEVICES

Mail Stop Appeal Brief-Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF

Sir:

Transmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on 05/27/2005.

The fee for filing this Appeal Brief is (37 CFR 1.17(c)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

() (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

() one month	\$120.00
() two months	\$450.00
() three months	\$1020.00
() four months	\$1590.00

() The extension fee has already been filled in this application.

(X) (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$500.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

() I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450. Date of Deposit: _____

OR

(X) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571) 273-8300 on 07/21/2005

Number of pages: 28

Typed Name: Christina L. Paz

Signature: 

Respectfully submitted,

Darren J. CEPULIS

By 

Alan D. Christenson

Attorney/Agent for Applicant(s)

Reg. No. 54,036

Date: 07/21/2005

Telephone No.: (713) 238-8000

JUL 21 2005

Appellant:	Darren J. CEPULIS	\$	Confirmation No.:	3670
Serial No.:	10/014,943	\$	Group Art Unit:	2153
Filed:	10/26/2001	\$	Examiner:	Y. M. Barqadle
For:	Method For Viewing, Managing And Controlling System Specific Hardware Using Industry Standard Tables Uploaded To Locally Installed Remote Management Devices	\$ \$ \$ \$ \$ \$ \$	Docket No.:	200304343-1

APPEAL BRIEF

Date: July 21, 2005

Sir:

Appellant hereby submits this Appeal Brief in connection with the above-identified application. A Notice of Appeal was filed via facsimile on May 27, 2005.

07/25/2005 MBINAS 00000000 082025 10014943
01 FC:1402 500.00 DA

Appl. No. 10/014,943
Appeal Brief dated July 21, 2005
Reply to final Office action of April 1, 2005

TABLE OF CONTENTS

I.	REAL PARTY IN INTEREST	3
II.	RELATED APPEALS AND INTERFERENCES	4
III.	STATUS OF THE CLAIMS	5
IV.	STATUS OF THE AMENDMENTS	6
V.	SUMMARY OF THE CLAIMED SUBJECT MATTER	7
VI.	GROUND OF REJECTION TO BE REVIEWED ON APPEAL.....	10
VII.	ARGUMENT	11
	A. Overview of Cromer.....	11
	B. Rejection of claims 1-5, 8-11 and 14-16 under 35 U.S.C. § 102 and 35 U.S.C. § 103	12
	1. Rejection of claims 4-5, 10-11 and 14-16	14
	C. Rejection of claims 17-19 and 21-23 under 35 U.S.C. § 102 and 35 U.S.C. § 103	15
	D. Rejection of claims 24-25 and 28 under 35 U.S.C. § 102 and 35 U.S.C. § 103	16
	E. Rejection of claims 29-31 and 33 under 35 U.S.C. § 102 and 35 U.S.C. § 103	17
	F. Rejection of claims 20 and 32 under 35 U.S.C. § 102 and 35 U.S.C. § 103	18
VIII.	CONCLUSION	19
IX.	CLAIMS APPENDIX	20
X.	EVIDENCE APPENDIX	25
XI.	RELATED PROCEEDINGS APPENDIX	26

Appl. No. 10/014,943
Appeal Brief dated July 21, 2005
Reply to final Office action of April 1, 2005

I. REAL PARTY IN INTEREST

The real party in interest is the Hewlett-Packard Development Company ("HPDC"), a Texas Limited Partnership, having its principal place of business in Houston, Texas. HPDC is a wholly owned affiliate of Hewlett-Packard Company ("HPC"). HPC merged with Compaq Computer Corporation ("CCC") which owned Compaq Information Technologies Group, L.P. ("CITG"). The Assignment from the inventors to CITG was recorded on October 26, 2001, at Reel/Frame 012384/0564. The Change of Name document was recorded on May 12, 2004, at Reel/Frame 014628/0103.

Appl. No. 10/014,943
Appeal Brief dated July 21, 2005
Reply to final Office action of April 1, 2005

II. RELATED APPEALS AND INTERFERENCES

Appellant is unaware of any related appeals or interferences.

Appl. No. 10/014,943
Appeal Brief dated July 21, 2005
Reply to final Office action of April 1, 2005

III. STATUS OF THE CLAIMS

Originally filed claims: 1-27.
Claim cancellations: 6, 7, 12, 13, 26 and 27.
Added claims: 28-33.
Presently pending claims: 1-5, 8-11, 14-25 and 28-33.
Presently appealed claims: 1-5, 8-11, 14-25 and 28-33.

Appl. No. 10/014,943
Appeal Brief dated July 21, 2005
Reply to final Office action of April 1, 2005

IV. STATUS OF THE AMENDMENTS

No claims were amended after the final Office action dated April 1, 2005.

Appl. No. 10/014,943
 Appeal Brief dated July 21, 2005
 Reply to final Office action of April 1, 2005

V. SUMMARY OF THE CLAIMED SUBJECT MATTER

The invention of claims 1, 17, 24 and 29 is directed to, among other things, a management device that couples to a host computer. The management device stores host-specific information during a boot process (before a run-time) of the host computer. Figure 1 below shows an embodiment of a host computer 100 and a management device 120.

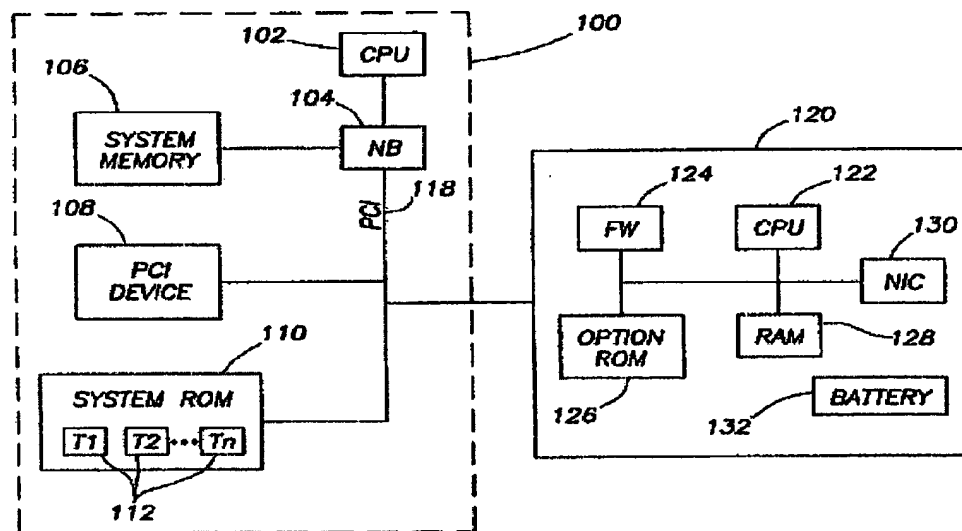


FIG. 1

After the management device 120 stores the host-specific information 112, the management device 120 uses the host-specific information 112 to manage a function that the host computer 100 would otherwise manage (see paragraphs [0007]-[0008], [0016] and [0022]). This provides at least two benefits. First, when the host-computer 100 reaches run-time, the host-computer's run-time performance is improved because the host-computer's CPU 102 is not interrupted for the function that is being handled by the management device 120 (see paragraphs [0004], [0007] and [0016]). Second, if the host computer 100 is off or is otherwise not operable, the management device 120 is able to continue providing the function for the host computer 100 (see paragraphs [0008] and

Appl. No. 10/014,943
Appeal Brief dated July 21, 2005
Reply to final Office action of April 1, 2005

[0022]. For example, the function managed by the management device 120 may be to provide information such as the host computer type or the number of processors in the host computer 100 to an external device (see paragraph [0022]).

For convenience, independent claims 1, 17, 24 and 29 are reproduced below:

1. A computer system, comprising:
a host computer including a CPU coupled to memory, wherein the memory stores host-specific information; and
a management device coupled to said host, wherein at least a portion of said host-specific information is stored in the management device during a boot process of the host computer and wherein the management device uses the host-specific information to manage a function that the host computer would otherwise manage.
17. A logic unit sub-system, comprising:
a CPU;
memory coupled to said CPU;
wherein said logic unit sub-system is adapted to couple to a host computer system and store a table containing host computer information in the memory during a power on self test of the host computer system whereby the logic unit sub-system uses the table to manage a function that the host computer system would otherwise manage.
24. A method of operating a logic unit coupled to a host computer, comprising:
searching for host computer specific information during a boot process of the host computer;
upon finding said information, storing said information in a memory of the logic unit; and
using the information during the operation of the logic unit to independently control a function that the host computer would otherwise control;
wherein said searching and storing occur before run-time of the host computer.
29. A system, comprising:
a host computer that has a central processing unit ("CPU") coupled to a peripheral interface and a memory unit that stores an information table; and
a management unit coupled to the peripheral interface of the host computer, the management unit accesses and stores the information table during a boot process of the host computer such that the management unit is operable to carry out a predetermined

Appl. No. 10/014,943
Appeal Brief dated July 21, 2005
Reply to final Office action of April 1, 2005

management responsibility that the host computer would otherwise carry out.

**Appl. No. 10/014,943
Appeal Brief dated July 21, 2005
Reply to final Office action of April 1, 2005**

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Whether claims 1-5, 8-11 and 14-16 are unpatentable under 35 U.S.C. § 102 or § 103 in view of Cromer et al. (U.S. Pat. No. 6,256,732, hereinafter referred to as "Cromer").

Whether claims 17-19 and 21-23 are unpatentable under 35 U.S.C. § 102 or § 103 in view of Cromer.

Whether claims 24-25 and 28 are unpatentable under 35 U.S.C. § 102 or § 103 in view of Cromer.

Whether claims 29-31 and 33 are unpatentable under 35 U.S.C. § 102 or § 103 in view of Cromer.

Whether claims 20 and 32 are unpatentable under 35 U.S.C. § 102 or § 103 in view of Cromer.

Appl. No. 10/014,943
Appeal Brief dated July 21, 2005
Reply to final Office action of April 1, 2005

VII. ARGUMENT

A. Overview of Cromer

Cromer is directed to configuring a computer while the computer remains in its shipping package. Configuring the computer in its shipping package allows a custom configuration without time loss or damage caused by removing the computer from its shipping package. The configuration is intended to be performed at a dealer location. To configure a computer in its shipping package Cromer states that

[t]he computer system of the present invention is coupled to a main computer via a data communication link. The system includes a communication subsystem for communicating data with the computer system. The communication subsystem is supplied with auxiliary power and is operative to communicate with the computer system regardless of whether the computer system is in a normal operative state.

Col. 2, lines 39-45.

The present invention is directed to a computer system 12 which, when connected to a utility receptacle 106 [i.e., an auxiliary power supply] and main computer 102, is operative to automatically transmit identification and capability information to a network administrator to facilitate configuring the system 12 in its shipping package 10.

Col. 7, lines 59-64.

After the main computer 102 receives the packet which includes the MAC address, device driver information and serial number for system 12, a network administrator can check to see if system 12 is a known system. If system 12 is unknown, the system administrator can assign a default image or remove the system 12 from the configuration center. If system 12 is a known system, then the network administrator can build an image for system 12 using its serial number.

Col. 10, lines 1-9.

After the main computer 102 builds the custom image (step 141) using the data received from the packet of Fig. 6, the main computer 102 will power on the system 12 by sending a WOL packet...Once the system 12 receives boot instructions to memory 62 it operates as if under a normal boot process but with the network connection as the boot instruction source. Once the system 12 is at a level of expanded operational capability as a

Appl. No. 10/014,943
Appeal Brief dated July 21, 2005
Reply to final Office action of April 1, 2005

result of the downloaded instructions, the server 102 proceeds with the download of data (step 146) such as configuration and application programs...After all configuration data, operating system code and application code is downloaded, the server 102 commands a shut down (step 148)...to complete the configuration process. In this way the computer system 12 may be configured in the shipping box 10 providing convenience and savings over full set-up at a configuration station or at the user site.

Col. 10, lines 16-46.

Based on the foregoing, Cromer simply teaches that a computer 12 is able to provide identifying information (e.g., a serial number and computer capabilities) to a main computer 102 (via a LAN subsystem 94), even if the computer 12 is powered off. An administrator of the main computer 102 is able to use the identifying information to prepare a custom image. After the custom image is prepared, the computer 12 is powered on (in its shipping package) and the custom image is transferred from the main computer 102 to the computer 12. The computer 12 stores the custom image and subsequently shuts down. Cromer does not teach that the main computer 102 uses the identifying information to manage a function that the computer 12 would otherwise manage.

B. Rejection of claims 1-5, 8-11 and 14-16 under 35 U.S.C. § 102 and 35 U.S.C. § 103

Cromer neither anticipates under 35 U.S.C. § 102 nor renders obvious under 35 U.S.C. § 103 any of claims 1-5, 8-11 and 14-16. Claim 1 requires "a host computer including a CPU coupled to memory, wherein the memory stores host-specific information." Claim 1 further requires "a management device coupled to said host, wherein at least a portion of said host-specific information is stored in the management device during a boot process of the host computer and wherein the management device uses the host-specific information to manage a function that the host computer would otherwise manage." The Examiner's rejection of claim 1 based on Cromer was improper for at least the following reasons.

First, the Examiner incorrectly equates Appellant's claimed "management device" with the main computer 102 taught in Cromer. While both the claimed

Appl. No. 10/014,943
Appeal Brief dated July 21, 2005
Reply to final Office action of April 1, 2005

"management device" and Cromer's main computer 102 store host-specific information, Cromer's main computer 102 does not "[use] the host-specific information to manage a function that the host computer would otherwise manage" as required of the "management device" in claim 1. As disclosed in Cromer, the main computer 102 is used to prepare a custom image for the computer 12 (see col. 10, lines 1-42). However, Cromer does not teach or suggest that the computer 12 "would otherwise manage" the preparation of the custom image. In contrast, claim 1 requires that "the management device uses the host-specific information to manage a function that the host computer would otherwise manage."

Second, Cromer does not teach or suggest that the "host-specific information is stored in the management device during a boot process of the host computer" as required in claim 1. Specifically, Cromer teaches "[t]he present invention is directed to a computer system 12 which, when connected to [an auxiliary power supply] and main computer 102, is operative to automatically transmit identification and capability information to a network administrator to facilitate configuring the system 12 in its shipping package" (col. 7, lines 59-64). This process occurs without powering on the computer system 12. If Cromer's computer 12 and main computer 102 are respectively equated with Appellant's claimed "host computer" and "management device" as asserted by the Examiner, then Cromer simply does not teach or suggest Appellant's claimed "host-specific information is stored in the management device during a boot process of the host computer" as required in claim 1. On the contrary, Cromer teaches that host-specific information is stored in the main computer 102 without the computer 12 powering on (*i.e.*, without a boot process).

Third, Appellant is unable to find any teaching in Cromer that meets or suggests the above limitations of claim 1. For example, while Cromer teaches that the LAN subsystem 94 transfers the host-specific information (identification and capability information) to the main computer 102 even if the computer 12 is powered off, Cromer does not teach or suggest that "host-specific information is stored" in the LAN subsystem 94 "during a boot process of the host computer" as

Appl. No. 10/014,943
Appeal Brief dated July 21, 2005
Reply to final Office action of April 1, 2005

is required of the claimed "management device." Furthermore, Cromer does not teach or suggest that the LAN subsystem 94 "uses the host-specific information to manage a function" that the computer 12 "would otherwise manage" as is required of Appellant's claimed "management device."

Cromer also mentions logic 114 (separate from the LAN subsystem 94) that builds headers for the data packet that is transmitted to the main computer 102 using data stored in a nonvolatile memory 120. However, Cromer does not teach or suggest that "host-specific information is stored" in the logic 114 "during a boot process of the host computer" as is required of the claimed "management device." Furthermore, Cromer does not teach or suggest that the logic 114 "uses the host-specific information to manage a function" that the computer 12 "would otherwise manage" as is required of Appellant's claimed "management device." Based on the foregoing, Appellant respectfully submits that Cromer neither anticipates under 35 U.S.C. § 102 nor renders obvious under 35 U.S.C. § 103 any of claims 1-5, 8-11 and 14-16 and the rejection of this grouping should be reversed.

1. Rejection of claims 4-5, 10-11 and 14-16

Claims 4-5, 10-11 and 14-16 depend on claim 1 and are patentable for the reasons provided above with respect to claim 1. In addition, claim 4 requires that "[the] management device is a subsystem of the host computer." The Examiner's rejection of claims 4-5, 10-11 and 14-16 based on Cromer was improper for at least the following reasons.

In rejecting claim 4, the Examiner appears to equate Appellant's claimed "management device" with Cromer's LAN subsystem 94 rather than with Cromer's main computer 102 as was previously asserted (see final Office action, page 4, last paragraph and page 5, paragraph 3). Presumably, the Examiner recognizes that the main computer 102 is not a subsystem of the computer 12 and is suggesting that the LAN subsystem 94 is comparable to Appellant's claimed "management device." Even though Cromer's LAN subsystem 94 is a subsystem of the computer 12, Appellant previously showed (with respect to claim 1) that Cromer's LAN subsystem 94 still does not meet or suggest the other

Appl. No. 10/014,943
Appeal Brief dated July 21, 2005
Reply to final Office action of April 1, 2005

limitations required of Appellant's claimed "management device." Cromer does not appear to teach or suggest (at least Appellant cannot find) any device or subsystem that meets all the requirements of the claimed "management device." For at least these additional reasons, Appellant respectfully submits that Cromer neither anticipates under 35 U.S.C. § 102 nor renders obvious under 35 U.S.C. § 103 any of claims 4-5, 10-11 and 14-16 and the rejection of this grouping should be reversed.

C. Rejection of claims 17-19 and 21-23 under 35 U.S.C. § 102 and 35 U.S.C. § 103

Claim 17 requires "a logic unit sub-system" that comprises "a CPU" and a "memory coupled to the CPU." Claim 17 further requires that the "logic unit sub-system is adapted to couple to a host computer system and store a table containing host computer information in the memory during a power on self test of the host computer system whereby the logic unit sub-system uses the table to manage a function that the host computer system would otherwise manage." The Examiner's rejection of claim 17 based on Cromer was improper for at least the following reasons.

Cromer does not teach or suggest "[storing] a table containing host computer information" in "the memory" of a logic unit sub-system "during a power on self test of the host computer system" as required in claim 17. Instead, Cromer teaches that host specific information is transmitted to a main computer 102 when the computer 12 is powered off. It may be that the Examiner is equating Cromer's Flash memory module 78 (rather than the main computer 102) with Appellant's "logic unit sub-system." In such case, Cromer still does not clearly teach or suggest that the Flash memory module 78 "is adapted to...store a table containing host computer information...during a power on self test of the host computer system" as is required of Appellant's claimed "logic unit sub-system." Cromer simply does not disclose (at least Appellant's cannot find) when the BIOS is stored in the Flash memory module 78.

Furthermore, the Flash memory module 78 does not "[use] the table to manage a function that the host computer system would otherwise manage" as is

Appl. No. 10/014,943
Appeal Brief dated July 21, 2005
Reply to final Office action of April 1, 2005

required of Appellant's claimed "logic unit sys-system." Cromer does not appear to teach or suggest (at least Appellant cannot find) any device or subsystem that meets all the requirements of the claimed "logic unit sub-system." Based on the foregoing, Appellant respectfully submits that Cromer neither anticipates under 35 U.S.C. § 102 nor renders obvious under 35 U.S.C. § 103 any of claims 17-19 and 21-23 and the rejection of this grouping should be reversed.

D. Rejection of claims 24-25 and 28 under 35 U.S.C. § 102 and 35 U.S.C. § 103

Claim 24 requires "searching for host specific information during a boot process of the host computer" and "upon finding said information, storing said information in a memory of [a] logic unit." Claim 24 further requires "using the information during the operation of the logic unit to independently control a function that the host computer would otherwise control." The Examiner's rejection of claim 24 based on Cromer was improper for at least the following reasons.

First, Cromer does not teach or suggest "searching for host specific information during a boot process of the host computer" and "upon finding said information, storing said information in a memory of [a] logic unit" as required in claim 24. Instead, Cromer teaches that host specific information is transmitted to a main computer 102 when the computer 12 (host computer) is powered off.

Second, Cromer does not teach or suggest "using the information during the operation of the logic unit to independently control a function that the host computer would otherwise control." There is simply no "logic unit" in Cromer (at least Appellant cannot find one) that uses "host specific information" to "independently control a function that the host computer would otherwise control." Based on the foregoing, Appellant respectfully submits that Cromer neither anticipates under 35 U.S.C. § 102 nor renders obvious under 35 U.S.C. § 103 any of claims 24-25 and 28 and the rejection of this grouping should be reversed.

Appl. No. 10/014,943
Appeal Brief dated July 21, 2005
Reply to final Office action of April 1, 2005

E. Rejection of claims 29-31 and 33 under 35 U.S.C. § 102 and 35 U.S.C. § 103

Claim 29 requires "a management unit coupled to the peripheral interface of [a] host computer." Claim 29 further requires that "the management unit accesses and stores [an] information table during a boot process of the host computer such that the management unit is operable to carry out a predetermined management responsibility that the host computer would otherwise carry out." The Examiner's rejection of claim 29 based on Cromer was improper for at least the following reasons.

The Examiner admits that Cromer does not teach or suggest "an information table" as required in claim 29, but argues that "an information table" is an obvious modification to Cromer. However, the fact that a reference can be modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination (see *In re Mills*, 916 F.2d 680 and MPEP 2143.01). The Examiner suggests that using "a table" in Cromer would facilitate locating and retrieving stored contents quickly and efficiently (see final Office Action, page 10, first paragraph). Appellant disagrees and submits that the Examiner has relied on speculation instead of objective evidence to justify his position that using a table format to store four items as taught in Cromer (see col. 9, lines 12-27) is efficient compared to using a data packet. Thus, Cromer does not suggest the desirability of using a table.

Beyond the issue of Appellant's claimed "information table," Cromer still does not teach or suggest a "management unit" that "accesses and stores the information table during a boot process of the host computer such that the management unit is operable to carry out a predetermined management responsibility that the host computer would otherwise carry out." As previously explained, Cromer simply teaches that a data packet containing host specific information is transmitted to a main computer 102 when the computer 12 (host computer) is powered off. Based on the foregoing, Appellant respectfully submits that Cromer neither anticipates under 35 U.S.C. § 102 nor renders obvious under

Appl. No. 10/014,943
Appeal Brief dated July 21, 2005
Reply to final Office action of April 1, 2005

35 U.S.C. § 103 any of claims 29-31 and 33 and the rejection of this grouping should be reversed.

F. Rejection of claims 20 and 32 under 35 U.S.C. § 102 and 35 U.S.C. § 103

Claim 20 depends on claim 17 and is patentable for the reasons provided above with respect to claim 17. Claim 32 depends on claim 29 and is patentable for the reasons provided above with respect to claim 29. In addition, claim 32 requires that "the management unit comprises a ROM memory that stores computer readable instructions for accessing and storing the information table...and a processor that executes the computer readable instructions." Claim 32 further requires that "the processor requests the CPU to transfer a copy of the information table to a memory of the management unit." The Examiner's rejection of claim 32 based on Cromer was improper for at least the following reasons.


Cromer does not teach or suggest that "a processor" of the management unit requests a "CPU" of the host system "to transfer a copy of the information table to a memory of the management unit." On the contrary, Cromer teaches that the host computer 12 is powered off when the LAN subsystem 94 transmits a data packet to the main computer 102. Presumably, the processor 54 (*i.e.*, CPU) of the computer 12 is also powered off while the LAN subsystem 94 transmits the data packet. At any rate, Cromer does not teach or suggest that "a processor" of either of Cromer's main computer 102 or Cromer's LAN subsystem 94 requests the CPU of the host computer 12 to "[transfer] a copy of an information table to a memory of the management unit" as is required of the management unit's "processor" in claim 32. Based on the foregoing, Appellant respectfully submits that Cromer neither anticipates under 35 U.S.C. § 102 nor renders obvious under 35 U.S.C. § 103 any of claims 20 and 32 and the rejection of this grouping should be reversed.

Appl. No. 10/014,943
Appeal Brief dated July 21, 2005
Reply to final Office action of April 1, 2005

VIII. CONCLUSION

For the reasons stated above, Appellant respectfully submits that the Examiner erred in rejecting all pending claims. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,


Alan D. Christenson
PTO Reg. No. 54,036
CONLEY ROSE, P.C.
(713) 238-8000 (Phone)
(713) 238-8008 (Fax)
AGENT FOR APPELLANT

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
Legal Dept., M/S 35
P.O. Box 272400
Fort Collins, CO 80527-2400

Appl. No. 10/014,943
Appeal Brief dated July 21, 2005
Reply to final Office action of April 1, 2005

IX. CLAIMS APPENDIX

1. (Previously presented) A computer system, comprising:
a host computer including a CPU coupled to memory, wherein the memory stores host-specific information; and
a management device coupled to said host, wherein at least a portion of said host-specific information is stored in the management device during a boot process of the host computer and wherein the management device uses the host-specific information to manage a function that the host computer would otherwise manage.
2. (Original) The computer system of claim 1 wherein said memory comprises non-volatile memory.
3. (Original) The computer system of claim 2 wherein said memory comprises volatile memory.
4. (Previously presented) The computer system of claim 1 wherein said management device comprises a subsystem of the host computer.
5. (Previously presented) The computer system of claim 4 wherein the host specific information includes a signature which identifies the information whereby the management device locates and transfers said host specific information.
6. (Canceled).
7. (Canceled).
8. (Previously presented) The computer system of claim 1 wherein said management device includes a CPU that uses the host specific information to control a function for the host computer.

Appl. No. 10/014,943
Appeal Brief dated July 21, 2005
Reply to final Office action of April 1, 2005

9. (Previously presented) The computer system of claim 1 wherein the management device uploads the host specific information during a power on self test of the host computer.

10. (Previously presented) The computer system of claim 4 wherein said management device uses said host specific information to provide management functionality for the host computer when the host computer is in a low power state.

11. (Previously presented) The computer system of claim 10 wherein the host specific information includes a signature which identifies the information and said management device searches for said signature to find said host specific information.

12. (Canceled).

13. (Canceled).

14. (Previously presented) The computer system of claim 10 wherein said management device includes a CPU.

15. (Previously presented) The computer system of claim 10 wherein said management device operates from an auxiliary power source that is available even if the host computer is off.

16. (Previously presented) The computer system of claim 10 wherein the management device uploads the host specific information during power on self test of the host.

Appl. No. 10/014,943
Appeal Brief dated July 21, 2005
Reply to final Office action of April 1, 2005

17. (Previously presented) A logic unit sub-system, comprising:
a CPU;
memory coupled to said CPU;
wherein said logic unit sub-system is adapted to couple to a host computer system and store a table containing host computer information in the memory during a power on self test of the host computer system whereby the logic unit sub-system uses the table to manage a function that the host computer system would otherwise manage.
18. (Previously presented) The logic unit sub-system of claim 17 wherein said logic unit sub-system comprises management logic which manages a function for the host computer system when the host computer is in a low power state.
19. (Previously presented) The logic unit sub-system of claim 18 wherein the host computer information includes a signature which identifies the information and said logic unit sub-system searches for said signature to find said table containing host computer information.
20. (Previously presented) The logic unit sub-system of claim 19 wherein the logic unit sub-system is configured to request a CPU in the host computer system to coordinate the transfer of the table to the logic unit sub-system.
21. (Previously presented) The logic unit sub-system of claim 19 wherein the logic unit sub-system uploads the table without the involvement of a CPU of the host computer system.
22. (Previously presented) The logic unit sub-system of claim 17 wherein the logic unit sub-system uploads the table during a power on self test event as a subsystem of the host computer.

Appl. No. 10/014,943
Appeal Brief dated July 21, 2005
Reply to final Office action of April 1, 2005

23. (Previously presented) The logic unit sub-system of claim 17 wherein said logic unit sub-system operates from a different power source than the host computer system and said logic unit can be powered on even if the host computer system is powered off.

24. (Previously presented) A method of operating a logic unit coupled to a host computer, comprising:

searching for host computer specific information during a boot process of the host computer;
upon finding said information, storing said information in a memory of the logic unit ; and
using the information during the operation of the logic unit to independently control a function that the host computer would otherwise control;
wherein said searching and storing occur before run-time of the host computer.

25. (Previously presented) The method of claim 24 wherein searching and storing before run-time allows a CPU of the host computer to operate without interruption from the logic unit during run-time.

26. (Canceled).

27. (Canceled).

28. (Previously presented) The method of claim 24 wherein storing the computer specific information in a memory of the logic unit comprises storing at least one of an Advanced Configuration and Power Interface ("ACPI") table and a system management basic input/output system ("SMBIOS").

Appl. No. 10/014,943
Appeal Brief dated July 21, 2005
Reply to final Office action of April 1, 2005

29. (Previously presented) A system, comprising:
- a host computer that has a central processing unit ("CPU") coupled to a peripheral interface and a memory unit that stores an information table; and
 - a management unit coupled to the peripheral interface of the host computer, the management unit accesses and stores the information table during a boot process of the host computer such that the management unit is operable to carry out a predetermined management responsibility that the host computer would otherwise carry out.
30. (Previously presented) The system of claim 29 wherein the management unit comprises a battery power supply such that the management unit is operable when the host computer is in a low power state.
31. (Previously presented) The system of claim 29 wherein the management unit comprises:
- a ROM memory that stores computer readable instructions for accessing and storing the information table; and
 - a processor that executes the computer readable instructions.
32. (Previously presented) The system of claim 31 wherein the processor requests the CPU to transfer a copy of the information table to a memory of the management unit.
33. (Previously presented) The system of claim 31 wherein management logic of the management unit is configured to control the host computer's peripheral interface and is operable to read the information table from the host computer's memory unit such that the CPU is not needed to access and store the information table.

Appl. No. 10/014,943
Appeal Brief dated July 21, 2005
Reply to final Office action of April 1, 2005

X. EVIDENCE APPENDIX

None.

Appl. No. 10/014,943
Appeal Brief dated July 21, 2005
Reply to final Office action of April 1, 2005

XI. RELATED PROCEEDINGS APPENDIX

None.